

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION**

**BILLY FOSTER ET AL**

**CASE NO. 3:21-CV-03985**

**VERSUS**

**JUDGE TERRY A. DOUGHTY**

**SEASIDE HEALTHCARE ET AL**

**MAG. JUDGE KAYLA D. MCCLUSKY**

**ORDER**

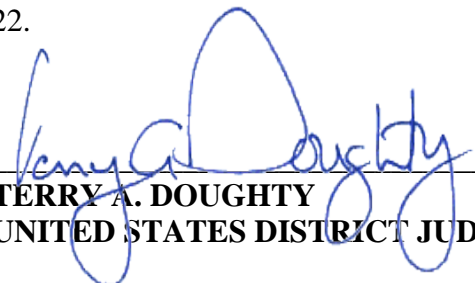
Pending here is Plaintiffs Billy Foster and Edna Foster's Motion for Reconsideration [Doc. No. 65]. Plaintiffs request the Court reconsider its Judgment [Doc. No. 64] adopting the Magistrate Judge's Report and Recommendation [Doc. No. 50], which granted in part Defendant's Motion to Dismiss [Doc. No. 10] and dismissed Plaintiffs' claims with prejudice.

"While there is no motion for reconsideration *per se*, there is a motion to alter or amend judgment under Federal Rule of Civil Procedure 59(e). The Fifth Circuit has explained that a Rule 59(e) motion "calls into question the correctness of a judgment," but "is not the proper vehicle for rehashing evidence, legal theories, or arguments that could have been offered," or were offered, "before the entry of judgment." *Templet v. HydroChem, Inc.*, 367 F.3d 473, 478-79 (5<sup>th</sup> Cir. 2004) (citations and internal quotation marks omitted)."

The Court has nevertheless considered Plaintiffs' Motion for Reconsideration [Doc. No. 65] and finds no reason to alter or amend its Judgment. Accordingly,

**IT IS ORDERED** that Plaintiffs' Motion for Reconsideration [Doc. No. 65] is **DENIED**.

Monroe, Louisiana, this 16<sup>th</sup> day of August 2022.

  
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**TERRY A. DOUGHTY**  
**UNITED STATES DISTRICT JUDGE**